

## **CHAPTER 2. REGULATING PUBLIC DANCING, LAWFUL GAMBLING AND AMUSEMENT DEVICES**

### **Section 200 - Public Dances**

**200.01 Definitions.** Unless the context clearly indicates otherwise, the following words and phrases have the meanings given in this Subsection.

**Public Dance.** Every dance held in a public dancing place in which the public may participate, whether an admission fee is charged or not.

**Public Dancing Place.** Any place other than a private residence in which dancing is carried on or is proposed to be carried on and in which the public may participate.

**200.02 Permit Required; Exception.** No person shall conduct a public dance unless a permit shall have been procured therefor, provided, however, no permit shall be required for a dance sponsored by a private or public school that is a permitted use in the Single Dwelling Unit District (R-1) as defined in Section 850 of this Code.

**200.03 Permit Procedure and Control.** The provisions of Section 160 of this Code shall apply to all permits required by this Section and to the holders of such permits except that permits shall be issued or denied by the Council.

**200.04 Fee.** The fee for a permit required by this Section shall be in the amount set forth in Section 185 of this Code.

**200.05 Application.** The provisions of this Subsection are in addition to the requirements of Section 160 of this Code. Any person or persons desiring a permit to hold or conduct a public dance shall make application therefor on a form provided by the Clerk. The application shall set forth the name and address of the person, persons, committee, or organization which is to conduct the dance; time and place where such dance is to be held; and the square footage and location of the dance floor. The applicants shall also state on the application if any of the applicants has been convicted of a felony, gross misdemeanor, or of violating any ordinance or law regulating dances any place in the United States. Upon receiving the report and recommendation of the Police Chief and Manager, the Council shall issue the permit if in the Council's opinion a nuisance will not result and the public health or safety will not suffer and that the public dance as proposed in the application will comply with the requirements of this Section and other sections of this Code. The Council may impose such conditions on the permit as deemed necessary to ensure compliance with this Code, protect adjacent properties and protect the health, safety and welfare of the City and its citizens.

**200.06 Police Protection.** If required by the Council, the applicant shall provide, at the applicant's expense, policing of the immediate and surrounding area of the building or area of the public dancing place by security personnel approved by the Police Chief. The failure to provide such policing shall constitute grounds for the immediate suspension or revocation of the permit.

**200.07 Permitted Locations.** Public dances may be held only in the Planned Commercial District (PCD), the Mixed Development District (MDD) or in any facility owned by the City or School District located in the Single Dwelling Unit District (R-1), all as defined in Section 850 of this Code.

**200.08 Prohibited Persons.** The permit holder shall not permit any person in violation of Section 1060 of this Code or any intoxicated person to be or remain in any public dancing place.

**200.09 Hours for Dancing.** Public dances shall not be held or conducted between the hours of 1:00 A.M. and 6:00 A.M., or such other hours as the Council may prescribe in the permit.

**200.10 Term of Permit.** Any permit issued hereunder shall be for such period of time as the Council shall determine. Provided, however, the initial permit for each premises shall be for a term of not more than 30 days and the renewal of a permit after the initial 30 days shall be for a term of not more than one year.

*History: Ord 201 codified 1970*

*Cross Reference: Sections 160, 185, 850, 1060*